8412290/2024/VIGILANCE-I-ICD01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services -Water Resources Department -V&E Report- Allegations in execution of work "Improvements to Relligedda natural drain from kollipeta (V), in Ponduru (M), to Nellimetta (V), in Amadalavalasa (M) of Srikakulam District" -Disciplinary proceedings against **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

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WATER RESOURCES (VIG.I) DEPARTMENT

G.O. Rt. No.22 **Dated: 11.01.2024**

Read the following:

1. From the Director General (Vig. &Enft) & EO Prl. Secy., to Govt., General Administration (V&E) Department, Vijayawada, Vigilance Report No.14(C.No.244/V&E/ENGG/2020), Dated:25.02.2021.
2. G.O.Rt.No.10, Water Resources (VIG.I) Department, Dated: 11.01.2024.

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ORDER:

In pursuance of the sanction accorded by the Government in Water Resources Department vide G.O. 2nd read above for instituting common disciplinary proceedings under Rule 24 of A.P.C.S (CC&A) Rules, 1991, against certain officers mentioned therein, including **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam, it is proposed to hold an inquiry against **Sri M.V. Hari Kumar,** the then Senior Accountant, Pay & Accounts Office, Srikakulam in accordance with the procedure laid down under Rule 20 of the A.P Civil Services (CC&A) Rules, 1991 for the alleged charges specified herein.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of articles of charges is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III & IV).

3. **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam, is directed to submit his written statement of defence within (10)days from the receipt of this order and also state whether he desires to be heard in person.

4. **Sri M.V. Hari Kumar,** the then Senior Accountant, Pay & Accounts Office, Srikakulam is informed that an inquiry will be held only in respect of those article of charge which are not specifically admitted herein. He should therefore, specifically admit or deny each article of charge. He is further informed that adequate opportunity for perusal of records will be made available during the course of inquiry.

5. **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam is further informed that if he does not submit his written statement of defence on or before the stipulated time, or does not appear in person before the disciplinary authority or otherwise fails or refuses to comply with the provisions of rule 20 of the APCS (CC&A) Rules 1991, or the orders/directions issued in pursuance of said Rules, the inquiring authority may hold inquiry against him ex-parte.

6. Attention of **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay &Accounts Office, Srikakulam is invited to Rule 24 of the Andhra Pradesh Civil

(P.T.O.)

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Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Govt. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri. **M.V. Hari Kumar** the then Senior Accountant, Pay & Accounts Office, Srikakulam is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M.V. Hari Kumar, the then Senior Accountant, Pay & Accounts Office, Srikakulam ((through the Finance Department, A.P. Secretariat, with a request to submit the dated acknowledgement of the individual to the Government without any delay).
The Finance Department, A.P. Secretariat, Velagapudi.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

Article of Charges framed against Sri M.V. Hari Kumar, the then Senior Accountant, Pay & Accounts Office, Srikakulam: -

Sri M.V. Hari Kumar the then Senior Accountant, Pay & Accounts Office, Srikakulam has committed dereliction of duties amounting to misconduct in violation of Rule 3 of AP Civil Services Conduct Rules, 1964 as mentioned in the following articles of charges.

Article of Charge -I :- That the said **Sri M.V. Hari Kumar,** the then Senior Accountant, Pay & Accounts Office, Srikakulam has admitted the bills without verifying the Executive Engineer check measurement of minimum 30% of the total expenditure incurred as required there by failed to follow the procedure to be adopted as per Para 297 sub-para(3) of APPW Accounts code and as per the GO.Ms.No.84 of Irrigation & CAD (PW-QC&IWS) Department Dt:06.06.2000 thus caused loss to the Government Exchequer in the work "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District ". Thus, he has committed dereliction of duties amounting to misconduct.

Article of Charge -II :- That the said **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam has admitted the bill 1/3rd stage of work without verifying the Superintending Engineer check measurement of minimum 30% of the total expenditure incurred as required, there by failed to follow the procedure to be adopted as per Para 297 sub-para(3) of APPW Accounts code and as per the GO.Ms.No.84 of Irrigation & CAD (PW-QC&IWS) Department Dt:06.06.2000, thus causing loss to the Government Exchequer in the work "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District ". Thus, he has committed dereliction of duties amounting to misconduct.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

Statement of Imputation of misconduct or misbehaviour in support of Article of charges framed against Sri M.V. Hari Kumar, the then Senior Accountant, Pay & Accounts Office, Srikakulam:-

The V&E Department officials verified the work "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District " along with the field officers who were associated with the execution of work.

The details of observations of the work by the V&E were as follows:

The Vigilance & Enforcement Department obtained all the connected records from the office of Executive Engineer, Irrigation Division, Srikakulam and randomly inspected the works along with concerned field staff on 28.01.2020, 30.01.2020. 20.10.2020 and 22.10.2020. Scrutiny of records revealed the following observation.

1. The main provisions of the sanctioned estimate and the status of works is tabulated as below.

S No	Description of item work	Status of work
1	Construction of protection wall near Modalavalasa (V) in Ponduru (M)	Work completed
2	Improvements to check dam near Pydijogipeta (V) in Ponduru(M)	Work completed
3	Improvements to check dam near Thadivalasa (V) in Ponduru (M)	Work completed but damaged & washed away
4	Improvements to check dam near Kollipeta (V) in Ponduru (M)	Work Not grounded
5	Improvements to check dam near Nellimetta (V) in Ponduru (M).	Work Not grounded
6	Formation of Bank on left side of Gedda between Jagannadahapeta (V) &Gokarnapalli (V) and from railway bridge to Nagavali River.	Work Not grounded
7	Construction of 4 Nos of Repelling and attracting groynes in Nagavali River at confluence point.	Work Not grounded

2. Agreement of the above work was concluded on 12.05.2017 with an agreement period of 12 months i.e., 11.05.2018 and EOAT was sanctioned up to 31.05.2019.

3. 3 Nos. of LS & Part Bills were paid to the agency so far and the total value of work done as on the date of inspection was Rs.4,09,02,632/- (Rs.3,76,87,685 with TP less]] 7.86 %). (Copy of M-Book pages 1 to 8 of 3894-B & M-Book pages 1 to 16 of 4078-B are enclosed as Annexure-5).

4. The V&E Dept., has inspected the three executed & completed works covered in this agreement such as Protection wall near Modalavalasa village, Check dam near Pydijogapeta village and Check dam near Thadivalasa village and the observations are as follows.

8. The department has paid 3 L.S & Part bills to the contracting agency so far. On scrutinizing the bills, the observations are as follows.

i. The Executive Engineer did not cover the prescribed check measurement value of minimum 30 % of the total expenditure incurred, each time of the bill in respect of LS 1st& part bill, LS 2nd& part bill and LS 3rd& part bill of the work as per Para No. 293 to 297 and 309 of APPW Accounts Code & G.O.Ms No.84, Irrigation & CAD (PW-QC&IWS) Department Dt.06.06.2000 and PAO Manual which is irregular and clear deviation from the procedure.

ii. The superintending Engineer for the LS 3rd& part bill i.e., at 1/ 3rd stage of work did not cover the prescribed check measurement value of minimum 30 % of the total expenditure incurred as per G.O.Ms No.84, Irrigation & CAD (PW-QC&IWS) Department Dt.06.06.2000 and PAO Manual which is irregular and clear deviation

from the procedure.(Copy of G.O.Ms No.84 & PAO Manual & M.B Pages are enclosed as Annexure-15)

iii. As per procedure, the check measuring Officer should affix his initial on the line of measurement where he is intended to check measure the item and only the same line of measurement has to be considered as check measured. But during the scrutiny of bills, the auditor, Divisional Office has considered the entire page as check measured and processed the bills to Pay & Accounts Office for payment which is irregular and clear deviation from codal norms.

iv. Similarly, instead of verifying the Executive Engineer and Superintending Engineers check measurement of minimum 30 % of the total expenditure incurred, the Pay and Accounts Officer has simply recommended for payment without any objections is irregular and clear deviation from norms while processing the bills.

FINDINGS:

The Check measurement done by Executive Engineer for the LS 1st& part bill, LS 2nd & part bill and LS 3rd& part bills of the work did not cover the minimum 30% of the total expenditure incurred each time of the bill required as per Codal rules in vogue.

The Check measurement done by the Superintending Engineer for the LS 3rd& part bill i.e., at 1/3rd stage of work did not cover the minimum 30 % of the total expenditure incurred which is required as per codal norms.

The Divisional Accounts officer and Pay & Accounts Officer admitted the LS 1st& part bill, LS 2nd& part bill and LS 3rd& part bills of the work without verifying the Executive Engineer check measurement of minimum 30 % of the total expenditure incurred each time of the bill which is irregular and deviated from norms while scrutinizing the bills.

The Divisional Accounts officer and Pay & Accounts Officer admitted the LS 3rd& part bill i.e., at 1 /3rd stage of work without verifying the Superintending Engineer check measurement of minimum 30 % of the total expenditure incurred which is irregular and deviated from norms while scrutinizing the bills.

2. **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam has admitted the bills without verifying the Executive Engineer check measurement of minimum 30% of the total expenditure incurred there by failed to follow the procedure adopted as per Para 297 sub-para(3) of APPW Accounts code and as per the GO.Ms.No.84 of Irrigation & CAD (PW-QC&IWS) Department Dt:06.06.2000 thus causing loss to the Government Exchequer in the work "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District ". Thus, he has committed dereliction of duties amounting to misconduct.

3. **Sri M.V. Hari Kumar**, the then Senior Accountant, Pay & Accounts Office, Srikakulam has admitted the bill 1/3rd stage of work without verifying the Superintending Engineer check measurement of minimum 30% of the total expenditure incurred there by failed to follow the procedure adopted as per Para 297 sub-para(3) of APPW Accounts code and as per the GO.Ms.No.84 of Irrigation & CAD (PW-QC&IWS) Department Dt:06.06.2000, thus causing loss to the Government Exchequer in the work "Improvements to Relligadda natural drain from Kollipeta(V) in Ponduru(M) to Nellimitta(V) in Amadalavalasa(M) of Srikakulam District ". Thus, he has committed dereliction of duties amounting to misconduct.

4. Thus, the said officer has failed to perform his duties with diligence which amounts to dereliction of duties leading to misconduct in violation of Rules 3(1), 3(2) & 3(5) of AP Civil Services Conduct Rules, 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – III

List of Documents by which the Article of Charges framed against Sri. M.V. Hari Kumar, the then Senior Accountant, Pay & Accounts Office, Srikakulam are proposed to be sustained: -

List of Documents:

(1) Vigilance Report No.14(C.No.244/V&E/ENGG/2020) Dt:25.02.2021 along with enclosures.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE – IV

List of Witnesses by whom the Article of Charges framed against Sri M.V. Hari Kumar, the then Senior Accountant, Pay & Accounts Office, Srikakulam are proposed to be sustained: -

List of Witnesses:

1. Vigilance & Enforcement officials who verified the work.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER